

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Christopher Ausschnitt,	Dated: June 8, 2009
Serial Number: 10/596,614	Examiner: Young, Christopher G.
Filing date: June 19, 2006	Group Art Unit: 1795 Confirmation No.: 8458
Title: Differential Critical Dimension and Overlay Metrology Apparatus and Measurement Method	IBM Corporation D/18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated May 22, 2009.

Applicants hereby provisionally elect Invention I, claims 1-15, without traverse.

Remarks begin on page 2 of this paper.